

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**Practitioner's Docket No. VTY2002-01R**  
703-872-9306

**PATENT**

**Certificate of Transmission under 37 CFR 1.8**

RECEIVED  
CENTRAL FAX CENTER  
SEP 03 2003

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on September 3, 2003.



Signature

Simonne Corriveau

Typed or printed name of person signing Certificate

OFFICIAL

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

**Submitted herewith:**

Transmittal	(2 pages)
Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney	(2 pages)
Copy of Return Postcard submitting Certificate of Ownership and Merger	(1 page)
Copy of Transmittal Letter submitting Certificate of Ownership and Merger	(2 pages)
Copy of Recordation Form Cover Sheet	(2 pages)
Copy of Certificate of Ownership and Merger	(3 pages)
Total Pages (including this cover sheet)	(12 pages)

TO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Practitioner's Docket No. **VTY2002-01R****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	Jeannette McCarthy		
Application No.:	10/043,715	Group No.:	1645
Filed:	January 9, 2002	Examiner:	N/A
For:	DIAGNOSIS AND TREATMENT OF VASCULAR DISEASE		

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**TRANSMITTAL**

1. Transmitted herewith for this application is/are:
  - a. This Transmittal (2 pages)
  - b. Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney (2 pages)
  - c. Copy of return postcard submitting Certificate of Ownership and Merger (1 page);
  - d. Copy of Transmittal Letter submitting Certificate of Ownership and Merger (2 pages);
  - e. Copy of Recordation Form Cover Sheet (2 pages); and
  - f. Copy of Certificate of Ownership and Merger (3 pages)

**STATUS**

2. Applicant is other than a small entity.

**FEE DEFICIENCY**

3. If any additional extension and/or fee is required, charge Account No. 501668.  
If any additional fee for claims is required, charge Account No. 501668.

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

with sufficient postage as first class mail.

as "Express Mail Post Office to Address"

Mailing Label No.

**TRANSMISSION**

transmitted by facsimile to the Patent and Trademark Office.

Signature  
Simonne Corriveau  
(type or print name of person certifying)

Date: September 3, 2003

**\*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.**

(Page 1 of 2)

Practitioner's Docket No. VTY2002-01R

4. Correspondence Address

Direct all future correspondence to:

Customer Number 30405  
OR  
Intellectual Property Department  
MILLENNIUM PHARMACEUTICALS, INC.  
75 Sidney Street  
Cambridge, MA 02139

September 3, 2003

MILLENNIUM PHARMACEUTICALS, INC.

By Kerri Pollard Schray

Kerri Pollard Schray  
Registration No. 47,066  
75 Sidney Street  
Cambridge, MA 02139  
Telephone - 617-551-3676  
Facsimile - 617-551-8820

(Page 2 of 2)

Practitioner's Docket No. VTY2002-01R**PATENT**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Jeannette McCarthy		
Application No.:	10/043,715	Group No.:	1645
Filed:	January 9, 2002	Examiner:	N/A
For:	DIAGNOSIS AND TREATMENT OF VASCULAR DISEASE		

RECEIVED  
 CENTRAL FAX CENTER  
 SEP 3 2003

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

REVOCATION OF PRIOR POWERS OF ATTORNEY  
AND APPOINTMENT OF NEW POWER OF ATTORNEY

OFFICIAL

Dear Sir:

MILLENNIUM PHARMACEUTICALS, INC., the Assignee of the entire right, title and interest in the above-identified application by virtue of the Merger document filed with the United States Patent and Trademark Office concurrently herewith hereby revokes all Powers of Attorney with respect to that application heretofore granted and appoints the below listed attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office connected therewith.

---

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

with sufficient postage as first class mail.

as "Express Mail Post Office to Address"  
Mailing Label No.

**TRANSMISSION**

transmitted by facsimile to the Patent and Trademark Office.

  
 Signature

Date: September 3, 2003

Simonne Corriveau  
 (Type or print name of person certifying)

\*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Page 1 of 2)

**Practitioner's Docket No. VTY2002-01R**

Scott A. Brown, Reg. No. 32,724; Ian R. Silverman, Reg. No. 37,443; Jean M. Silveri, Reg. No. 39,030; Allan N. Kutzenco, Reg. No. 38,945; Janice M. Klunder, Reg. No. 41,121; Theodore R. Allen, Reg. No. 41,578; Kerri Pollard Schray, Reg. No. 47,066, Tracy M. Sioussat, Reg. No. 50,609; and Paul J. Paglierani, Reg. No. 52,498; Jeffrey L. Kopacz, Reg. No. P-54,744

all of Millennium Pharmaceuticals, Inc., 75 Sidney Street, Cambridge, Massachusetts 02139, United States of America.

Please direct all future correspondence to:

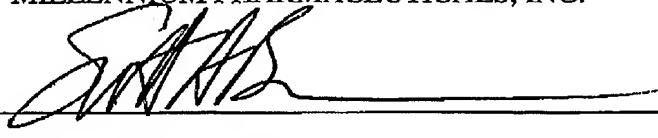
Customer Number 30405

OR

Intellectual Property Group  
MILLENNIUM PHARMACEUTICALS, INC.  
75 Sidney Street  
Cambridge, MA 02139

and direct all telephone calls to Kerri Pollard Schray at 617-551-3676.

MILLENNIUM PHARMACEUTICALS, INC.

By: 

Typed Name: Scott A. Brown

Title: Vice President, Chief Patent Counsel

Dated: July 29 2003

(Page 2 of 2)

09/03/03 10:59 FAX 617 551 8820

MILLENNIUM

006

Attorney Docket Nos. VTY2002-01R, VTY2002-02R, VTY2002-03R and VTY2001-00SP2R

THE "RECEIVED" STAMP OF THE PATENT AND TRADEMARK OFFICE IMPRINTED  
HEREON ACKNOWLEDGES THE FILING OF:

Description of Paper\* and No.: Transmittal Letter (2 pages - in duplicate); Recordation Form Cover Sheet (2 pages - in duplicate); Certificate of Ownership and Merger merging Vitivity, Inc. into Millennium Pharmaceuticals, Inc. (3 pages); and this return postcard.

Name of Applicant(s): Jeannette McCarthy  
Int'l. Or Serial Nos.: 10/043,715; 10/212,848; 10/235,192; and 10/017,724

Attorney/Agent: Kerri Pollard Schray

Date: September 3, 2003

\*with Certificate of Express Mailing No. EV312194695US

First Class



MILLENNIUM PHARMACEUTICALS, INC.  
ATTN: LEGAL DOCKETING DEPARTMENT  
75 SIDNEY STREET  
CAMBRIDGE, MA 02139  
UNITED STATES OF AMERICA

**MILLENNIUM****Millennium Pharmaceuticals, Inc.**

75 Sidney Street  
Cambridge, Massachusetts 02139  
617.679.7000  
[www.millennium.com](http://www.millennium.com)

September 3, 2003

**COPY**

Mail Stop Assignment Recordation Services  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/043,715  
Title: DIAGNOSIS AND TREATMENT OF VASCULAR DISEASE  
Filed: January 9, 2002  
Inventor: Jeannette McCarthy  
Docket No.: VTY2002-01R

U.S. Patent Application Serial No. 10/212,848  
Title: METHODS AND COMPOSITIONS FOR IDENTIFYING RISK FACTORS  
FOR ABNORMAL LIPID LEVELS AND THE DISEASES AND DISORDERS  
ASSOCIATED THEREWITH  
Filed: August 5, 2002  
Inventor: Jeannette McCarthy  
Docket No.: VTY2002-02R

U.S. Patent Application Serial No. 10/235,192  
Title: METHODS AND COMPOSITIONS FOR IDENTIFYING RISK FACTORS  
FOR ABNORMAL LIPID LEVELS AND THE DISEASES AND DISORDERS  
ASSOCIATED THEREWITH  
Filed: September 4, 2002  
Inventor: Jeannette McCarthy  
Docket No.: VTY2002-03R

U.S. Patent Application Serial No. 10/017,724  
Title: DIAGNOSIS AND TREATMENT OF VASCULAR DISEASE  
Filed: December 14, 2001  
Inventor: Jeannette McCarthy  
Docket No.: VTY2001-005P2R

Dear Sir:

I enclose herewith for filing in the above-identified applications the following:

1. Recordation Form Cover Sheet (2 pages - in duplicate);
2. Certificate of Ownership and Merger merging Vitivity, Inc. into Millennium Pharmaceuticals, Inc. (3 pages); and
3. Return Postcard.

**MILLENNIUM**

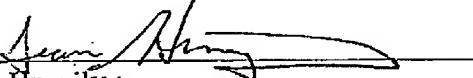
Mail Stop Assignment Recordation Services  
Director of the US Patent and Trademark Office  
September 2, 2003  
Page - 2 -

Please charge any necessary fees to our Deposit Account No. 501668. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service in an envelope addressed to: Mail Stop Assignment Recordation Services, Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, as "Express Mail Post Office to Address: Mailing Label No.: EV312194695US

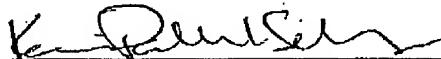
September 3, 2003

Date

  
Sean Hunziker

Respectfully submitted,

MILLENNIUM PHARMACEUTICALS, INC.

  
Kerri Pollard Schray  
Reg. No. 47,066  
75 Sidney Street  
Cambridge, MA 02139  
Telephone: (617) 551-3676  
Facsimile: (617) 551-8820

**COPY**FORM PTO-1595  
(Rev. 6-93)

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

**PATENTS ONLY**

Tab Settings →

To the Commissioner of Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
**VITIVITY, INC.**

2. Name and address of receiving party (ies):

Name: Millennium Pharmaceuticals, Inc.

Internal Address: \_\_\_\_\_

Street Address: 75 Sidney StreetCity: Cambridge State: MA Zip: 02139Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

- Assignment       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_

Execution Date: July 23, 2003

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is : \_\_\_\_\_

A. Patent Application No.(s)

SEE SHEET ATTACHED

B. Patent No.(s)

Additional Numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Kerri Pollard SchrayInternal Address: Millennium Pharmaceuticals, Inc.Street Address: 75 Sidney StreetCity: Cambridge State: MA ZIP: 021396. Total number of applications and patents involved 47. Total fee (37 CFR 3.41) ..... \$ 40.00 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

501668

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Kerri Pollard Schray, Reg. No. 47,066

Name of Person Signing

Kerri Pollard Schray

Signature

Sept. 3, 2003

Date

Total number of pages including cover sheet, attachments, and document:

5

Mail documents to be recorded with required cover sheet information to:  
 Mail Stop Assignment Recordation Services, Commissioner for Patents, P.O. Box 1450  
 Alexandria, VA 22313-1450

## RECORDATION FORM COVER SHEET CONT'D

09/03/03 11:01 FAX 617 551 8820

MILLENNIUM

 010

COPY

Atty. Docket No.	Title	USSN	Filing Date	Assignee	Recordal Date	Reel	Frame
VTY2002-03R	Methods and Compositions for Identifying Risk Factors for Abnormal Lipid Levels and the Diseases and Disorders Associated Therewith	10/235,192	September 4, 2002	Vituity, Inc.	filed March 18, 2003 not yet received		
VTY2002-02R	Methods and Compositions for Identifying Risk Factors for Abnormal Lipid Levels and the Diseases and Disorders Associated Therewith	10/212,848	August 5, 2002	Vituity, Inc.	November 6, 2002	13470	410
VTY2002-01R	Diagnosis and Treatment of Vascular Disease	10/043,715	January 9, 2002	Vituity, Inc.	April 16, 2002	12825	18
VTY2002-05P2R	Diagnosis and Treatment of Vascular Disease	10/017,724	December 14, 2001	Vituity, Inc.	March 29, 2002	12805	984

FROM CT WILMINGTON - 302\_655\_4236

(THU) 7.24' 03 15:26/ST. 15:26/NQ. 4260103547 P. 2

# Delaware

PAGE 1

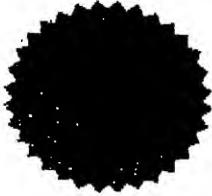
*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"VITIVITY, INC.", A DELAWARE CORPORATION,  
WITH AND INTO "MILLENNIUM PHARMACEUTICALS, INC." UNDER THE NAME OF "MILLENNIUM PHARMACEUTICALS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FOURTH DAY OF JULY, A.D. 2003, AT 1:40 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

2322355 8100M



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

030484816

AUTHENTICATION: 2546307

DATE: 07-24-03

FROM CT WILMINGTON - 302\_655\_4236

(THU) 7.24' 03 15:26/ST. 15:26/NO. 4260103547 P 3

JUL-24-2003 13:17

*State of Delaware 03/06  
Secretary of State  
Division of Corporations  
Delivered 01:40 PM 07/24/2003  
FILED 01:40 PM 07/24/2003  
SRV 030484816 - 2322355 FILE*

**CERTIFICATE OF OWNERSHIP AND MERGER****MERGING**

**Vitility, Inc.**  
(a Delaware corporation)

**INTO**

**Millennium Pharmaceuticals, Inc.**  
(a Delaware corporation)

Millennium Pharmaceuticals, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"), does hereby certify:

**FIRST:** That the Corporation was incorporated on the 13th day of January, 1993, pursuant to the General Corporation Law of the State of Delaware.

**SECOND:** That the Corporation owns all of the outstanding shares of each class of the stock of Vitility, Inc., a corporation incorporated on the 17th day of January, 2001, pursuant to the General Corporation Law of the State of Delaware.

**THIRD:** That the Executive Committee of the Board of Directors of the Corporation acting under the authority of the Board of Directors of the Corporation pursuant to Section 141(c) (2) of the General Corporation Law of the State of Delaware, by written action in lieu of a meeting dated as of the 10th day of July, 2003, duly adopted the following resolutions:

**RESOLVED:** Pursuant to Section 253 of the Delaware General Corporation Law, we authorize the Corporation to merge Vitility, Inc., a Delaware corporation and a wholly owned subsidiary of the Corporation, into the Corporation.

**RESOLVED:** We authorize the President, any Vice President, the Secretary or any Assistant Secretary of the Corporation to execute a Certificate of Ownership and Merger with respect to the merger of Vitility, Inc. into the Corporation and to cause the Certificate to be filed with the Secretary of State of Delaware. We authorize each of these officers to take any other action and execute any other documents as any of them deem appropriate to effect the merger.

**RESOLVED:** The merger of Vitility, Inc. into the Corporation will be effective upon the filing of a Certificate of Ownership and Merger with the Secretary of State of Delaware.

09/03/03 11:02 FAX 617 551 8820

MILLENNIUM

013

FROM CT WILMINGTON - 302\_655\_4236

(THU) 7.24' 03 15:27/ST. 15:26/NO. 4260103547 P 4

JUL-24-2003 13:18

P.04/06

IN WITNESS WHEREOF, the Corporation has caused this Certificate to be signed by its  
authorized officer this 23rd day of July, 2003.

MILLENNIUM PHARMACEUTICALS, INC.

By: Joel S. Goldberg  
Name: Joel S. Goldberg  
Title: Assistant Secretary

RECEIVED  
CENTRAL FAX CENTER  
SEP 03 2003

OFFICIAL